

**REMARKS**

**Status of the claims:**

With the above amendments, claims 42, 53 and 54 have been amended. Claims 34, 35, 37, 40, 45-49, 52 and 55-67 are allowed. Contrary to the Office Action Summary, claims 34, 35, 37, 40, 42-49 and 52-73 are pending. No new matter has been added by way of the above amendments. Reconsideration is respectfully requested in light of the following remarks.

**Method and Process Claims**

Applicants respectfully request that the Examiner consider method of use claims 60-73 together with the compound claims, consistent with the holding in *In re Ochiai*, 37 USPQ2d 1127 (Fed. Cir. 1995). Moreover, also consistent with *Ochiai*, Applicants respectfully request rejoinder of the claims directed to the process of making the compound(s). See MPEP 821.04.

**Rejections under 35 USC §112, first paragraph**

Claims 42-44 and 53-54 are rejected under 35 USC §112, first paragraph as not being enabled. The Examiner asserts that -OSO<sub>2</sub>F is not a recognized leaving group. Although Applicants do not agree with the Examiner's position regarding the above rejection, Applicants have amended the claims to omit -OSO<sub>2</sub>F as a possible substituent. Applicants, in the response filed

April 27, 2004 submitted definitive proof showing that -OSO<sub>2</sub>F is a recognized leaving group. However, for the sake of expediting prosecution, and due to the amendment as indicated above, the rejection is moot. Withdrawal of the rejection is warranted and respectfully requested.

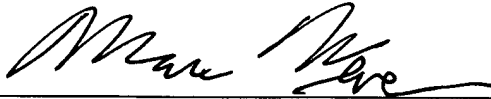
With the above remarks and amendments, Applicants believe that the claims, as they now stand, define patentable subject matter such that passage of the instant invention to allowance is warranted. A Notice to that effect is earnestly solicited.

If any questions remain regarding the above matters, please contact the undersigned in the Washington metropolitan area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Marc S. Weiner, #32,181

MSW/TBS/mua

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000